

**Submission
No 227**

INQUIRY INTO EDUCATION AMENDMENT (ETHICS CLASSES REPEAL) BILL 2011

Organisation: Voiceless

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SUBMISSION ON THE *EDUCATION AMENDMENT (ETHICS CLASSES REPEAL) BILL 2011 (INQUIRY)*

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Voiceless Limited
ACN 108 494 631
2 Paddington Street
Paddington NSW 2021

P +61 2 9357 0777
F +61 2 9357 0711

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ABOUT VOICELESS

As an innovator, capacity builder and ideas-generator, Voiceless plays a leading role in the development of a cutting edge social justice movement, animal protection.

With a highly professional and well-educated team, Voiceless brings together like-minded compassionate Australians from the legal, academic, non-profit and education sectors to form strong and effective networks.

Voiceless believes in the provision of quality information, analysis and resources to inspire debate and discussion and to empower individuals and organisations to generate positive social change.

Voiceless is a non-profit Australian organisation established in May 2004 by father and daughter team Brian and Ondine Sherman.

To build and fortify the animal protection movement, Voiceless:

- Creates and fosters networks of leading lawyers, politicians, businesspeople and academics to influence law, policy, business and public opinion;
- Conducts high quality research and analysis of animal industries, exposing legalised cruelty and promoting informed debate;
- Creates a groundswell for social change by building and fortifying the Australian animal protection movement with select grants and prizes;
- Grows animal law as a mainstream practice area to advocate for change in the courts and in legislation; and
- Informs consumers and empowers them to make animal-friendly choices.

PATRONS

J.M. COETZEE, Nobel Prize for Literature Winner 2003, author of 'Lives of Animals' and 'Elizabeth Costello'

BRIAN SHERMAN AM, businessman and philanthropist

DR JANE GOODALL, world-renowned primatologist and animal advocate

THE HON MICHAEL KIRBY AC CMG, former justice of the High Court of Australia

AMBASSADORS

HUGO WEAVING, Actor

Last Ride, Little Fish, Lord of the Rings Trilogy, Matrix Trilogy, The Adventures of Priscilla Queen of the Desert, Oranges and Sunshine

EMILY BARCLAY, Actor

Prime Mover, Piece of my Heart, Suburban Mayhem, In My Father's Den

ABBIE CORNISH, Actor

Bright Star, Stop Loss, Elizabeth: The Golden Age, Somersault, Candy, A Good Year, Suckerpunch, Limitless

For further information visit <http://www.voiceless.org.au>

All correspondence in relation to this submission should be directed to:

1 Introduction

1.1 The NSW Legislative Council has invited submissions on an inquiry into the *Education Amendment (Ethics Classes Repeal) Bill 2011* (Bill). The purpose of the Bill is to amend the *Education Act 1990* (Education Act) to repeal the provision inserted by the *Education Amendment (Ethics) Act 2010* (section 33A) which allows special education in ethics as a secular alternative to special religious education at government schools.

1.2 Section 33A provides:

33A Special education in ethics as a secular alternative to special religious education

- (1) *Special education in ethics is allowed as a secular alternative to special religious education at government schools.*
- (2) *If the parent of a child objects to the child receiving special religious education, the child is entitled to receive special education in ethics, but only if:*
 - (a) *it is reasonably practicable for special education in ethics to be made available to the child at the government school, and*
 - (b) *the parent requests that the child receive special education in ethics.*
- (3) *A government school cannot be directed (by the Minister or otherwise) not to make special education in ethics available at the school.*

1.3 Voiceless disagrees that section 33A should be repealed for the reasons stated in this submission.

2 Alternatives to religious education

2.1 Should the Bill pass, it will mean that students will not have a viable alternative to studying religious education that utilises their time productively. Without a viable alternative to religious education, students will "chat, ... read quietly... [and] watch movies". This is not a productive use of students' time and causes parent disappointment and anger.¹

2.2 Section 33 of the Education Act provides parents with an option to remove their children from religious education classes. The passing of the Bill will not remove this right. It will, however, take away the only currently viable

¹ New South Wales, *Parliamentary Debates*, Legislative Council, 1 December 2010, 28652 (Penny Sharpe).

alternative to religious education – ethics education. Ethics education is important for various reasons. Firstly, it is consistent with the National Framework for Values Education in Australian Schools.² The National Framework was set up following a debate about the role of values in education. The Framework is based upon nine values, four of which are relevant to ethics education - care and compassion³, integrity⁴, respect⁵ and responsibility^{6,7}. Secondly, through ethics education, children learn skills such as collaborative inquiry, logical reasoning, critical thinking and the capacity to evaluate good and bad moral reasoning.⁸

2.3 There has been some criticism of ethics education (in particular from Reverend Nife, the proponent of the Bill who has stated that ethics education “hasn’t a defined objective, published curriculum or appropriate implementation”)⁹ primarily in respect of the curriculum. Voiceless disagrees with these claims for the following reasons:

- (a) the defined objective of ethics education is to teach children “how to approach ethical issues while developing their capacity for moral reasoning”. This is done by “considering a wide range of ethical issues appropriate to... [children’s] particular level of development”, which enables children to “learn skills such as collaborative inquiry, logical reasoning, critical thinking and the capacity to evaluate good and bad moral reasoning”,¹⁰ and
- (b) the curriculum is published on the Primary Ethics website and it covers a broad range of issues relating to ethical concerns in today’s society.¹¹

2.4 In any event, if there are issues with the curriculum, curriculum can be reviewed and improved upon. Any fault that might exist is not a valid reason for abolishing ethics education.

² Australian Government, Department of Education, Employment and Workplace Relations, *National Framework for Values Education in Australian Schools* (2011) Values Education for Australian Schools <<http://www.curriculum.edu.au/values/default.asp?id=8757>>.

³ Care for self and others.

⁴ Act in accordance with principles of moral and ethical conduct, ensure consistency between words and deeds.

⁵ Treat others with consideration and regard, respect another person’s point of view.

⁶ Be accountable for one’s own actions, resolve differences in constructive, non-violent and peaceful ways, contribute to society and to civic life, take care of the environment.

⁷ Edward N. Eadie, *Education for Animal Welfare* (Springer-Verlag Berlin Heidelberg, 2011) 38.

⁸ Primary Ethics Ltd, *Our Curriculum* (2012) Primary Ethics: just think about it

<<http://www.primaryethics.com.au/building.html>>.

⁹ Christian Democratic Party, ‘Inquiry will get to bottom of Ethics Course’ (Media Release, 14 November 2011) <<http://www.cdp.org.au/federal-media-release/1694-inquiry-will-get-to-bottom-of-ethics-course.html>>.

¹⁰ Above, n 8.

¹¹ Primary Ethics Ltd, *K-6 Curriculum Framework* (2012) Primary Ethics: just think about it <<http://www.primaryethics.com.au/k6framework.html>>.

3 Animal rights in ethics education

- 3.1 The ethics education curriculum contains a series of lessons on human treatment of animals. These include:
- (a) Needs of animals
What do animals need in order to live good lives?
 - (b) Different kinds of animals, different needs?
Differences between wild animals and pets. Is it ok to keep wild animals as pets?
 - (c) Is it right to keep animals in zoos?
Empirical knowledge: purposes of zoos, nature and welfare of animals compared with humans.
 - (d) Killing animals for food: Is it morally right to eat animals?
Using the yes/no/don't know approach, students will state their initial opinions and reasons, which will be followed by whole class evaluation of the arguments.
 - (e) Should human rights be extended to other animals?
Human rights: where do rights come from and how are they justified? What obligations do they impose on governments and individuals? To what extent, if any, should human rights be extended to other living creatures?¹²
- 3.2 These lessons encourage "thinking about how far our individual moral responsibility should extend and engages students in considering the consequences of certain practices".¹³
- 3.3 Voiceless believes that school lessons on ethical issues as they concern animals are vital. Such lessons provide a significant opportunity to advance protection for animals.¹⁴ In today's society, cruelty to animals occurs on a daily basis, domestically and commercially. If today's society is concerned, as it should be, with the manner in which we treat animals, then it is imperative that we educate our children, the future generations, on the ethical treatment of animals.
- 3.4 Currently, ethics education is taught to kindergarten and primary school children. Research provides that "the peak of interest in animals appears to be in the 7 to 12 year age range, with a decline occurring in early adolescence;

¹² Ibid.

¹³ Above, n 10.

¹⁴ Malcolm Brown and Caroline Munckton, *International benchmarking study of animal welfare education and training* (Final Report to the AAWS Education and Training Working Group, 29 August 2008) 23.

secondary school age children appear to be more directly interested in Animal Welfare (issues relating to cruelty and exploitation)".¹⁵ Further, "both empathy and attachment appear to be strongest in 9 to 10-year-old children, suggesting that they would be most sensitive to educational interventions at this age".¹⁶ Based on this research, ethics education on animal related issues should continue to be taught to primary school children and should be implemented for high school students.

3.5 Education about animal sentience and rights has been shown to have an impact on children's attitude and behaviour towards animals and ethics classes could contribute to creating individuals who approach the issue of animal rights and welfare thoughtfully and empathetically. A number of different studies have been undertaken that consider ways in which education enhances children's attitude towards animals. These include:

- (a) A study that compared a variety of school based interventions in 16 fifth and sixth grade classrooms. The conclusion reached was that a focused classroom presentation made by a master teacher could have a positive impact on children's humane attitudes.¹⁷
- (b) A study that investigated two forms of humane education using seven eighth grade classrooms and their effects on animal-related attitudes. This study revealed that a more intensive intervention can have a positive impact on children's attitudes towards animals even with older children.¹⁸
- (c) A study which reported the effects of a single humane education presentation in the second grade and a series of three presentations in the third, fourth and fifth grades on children's attitudes toward the treatment of animals. The study found that, in comparison to a no-intervention control group, classrooms receiving humane education in the second, third and fourth grades demonstrated statistically significant increases in humane attitudes.¹⁹

3.6 There exists a growing body of research that demonstrates a connection between domestic violence and animal abuse. In an article titled *School-based humane education as a strategy to prevent violence: review and*

¹⁵ Alistair Lawrence, *Animal Welfare Education: Evidence for Action* (Paper presented at International Conference on Animal Welfare Education: Everyone is Responsible, Brussels, 1-2 October 2010) 12 <http://www.animalwelfare-education.eu/fileadmin/content/PDF/dg_sanco_conference_book.pdf>.

¹⁶ Ibid.

¹⁷ TA Fitzgerald, 'Evaluating Humane Education: The Jefferson Country Study' (1981) 5 *Humane Education* 21-22, as discussed in Frank R. Ascione, 'Enhancing children's attitudes about the humane treatment of animals: generalisation to human-directed empathy' (1992) 5 (3) *Anthrozoos* 3 (Ascione).

¹⁸ R K K Cameron, *The effects of two instructional treatments on eighth-grade students' attitudes toward animal life* (unpublished doctoral dissertation, Purdue University), as discussed in Ascione, 3.

¹⁹ G E Hein, *Massachusetts Society for the Prevention of Cruelty to Animals Outreach Program Evaluation* (Final Report, Boston 1987), as discussed in Ascione, 4.

recommendations, Catherine Faver reviews this and other research in order to provide a rationale that humane education programs can be used as a strategy to prevent violence. Throughout her article, Faver refers to a number of different studies to form conclusions that:

- (a) humane education is an integral part of elementary school curriculum;
- (b) humane education:
 - (i) is more likely to capture children's attention than other types of character education and violence prevention programs because of children's affinity for animals;
 - (ii) builds on children's interest and experiences with animals to enhance intellectual and social development;
 - (iii) aims to reduce violence by fostering empathy and making explicit connections between empathy and responsibility toward animals and people;
 - (iv) can play a significant role in violence prevention through its use of animal-related activities to foster empathy and pro-social behaviour;
 - (v) strives to prevent violence by fostering empathy for animals and people and thus reducing the likelihood of aggression; and
 - (vi) has enhanced children's empathy toward animals and people.²⁰

3.7 Voiceless also has concerns with the manner by which religious education might encourage children to negatively consider animals. This is particularly so with Western religions. In Western countries, the attitude of humans toward animals tends towards having dominion over animals without mention of regard for, or injunction against, cruelty to animals.²¹

3.8 For the above reasons, it is imperative that ethics education remains as an alternative to religious education in the NSW syllabus, especially where ethics education appears to be the only program on offer that incorporates animal rights and welfare education for school children in NSW. Further, topics concerning animals have been found to be particularly successful.²²

²⁰ Catherine A Faver, 'School-based humane education as a strategy to prevent violence: review and recommendations' (2010) 32 *Children and Youth Services Review* 365, 366.

²¹ Above n 7, 3-4.

²² Dr Sue Knight, *NSW Ethics Course Trial: Final Report* (October 2010) 78.

4 Summary

4.1 The *Education Amendment (Ethics Classes Repeal) Bill 2011* should fail for the following reasons:

- (a) students will not have a viable alternative to studying religious education that utilises their time productively;
- (b) ethics education is important for various reasons, including, that it incorporates various lessons concerning animal rights and welfare issues;
- (c) if there are any concerns with the current ethics education curriculum, with which Voiceless disagrees, the curriculum can be reviewed and amended; this is not an adequate reason for abolishing ethics education;
- (d) school lessons on ethical issues as they concern animals are vital in respect of their impact on children which includes development of empathy, prevention of violence, consideration of how animals are treated in today's society and offering an alternative to Western religions, which generally encourage dominion over animals and fail to discourage animal cruelty.

Respectfully submitted by Ruth Hatten, Legal Counsel, Voiceless